

**IC 8-14.5-7****Chapter 7. Grant Anticipation Revenue Bonds and Notes****IC 8-14.5-7-1****"Authority"**

Sec. 1. As used in this chapter, "authority" refers to the Indiana transportation finance authority or its successor.

*As added by P.L.246-2005, SEC.83.*

**IC 8-14.5-7-2****"Federal highway revenues"**

Sec. 2. As used in this chapter, "federal highway revenues" means:

- (1) money and obligation authority apportioned or allocated, or anticipated to be apportioned or allocated in the current federal fiscal year or a future federal fiscal year, to Indiana by the United States Department of Transportation under 23 U.S.C., as amended, for use on a highway improvement project; or
- (2) other federal money that may be used for a highway improvement project and is available or anticipated to be available in the current federal fiscal year or a future federal fiscal year.

*As added by P.L.246-2005, SEC.83.*

**IC 8-14.5-7-3****"Grant anticipation revenue bond"**

Sec. 3. As used in this chapter, "grant anticipation revenue bond" or "grant anticipation revenue note" means a bond or note, respectively, secured by lease rentals relating to highway improvement projects and anticipated to be paid from federal highway revenues deposited in the grant anticipation fund.

*As added by P.L.246-2005, SEC.83.*

**IC 8-14.5-7-4****"Highway improvement project"**

Sec. 4. As used in this chapter, "highway improvement project" means a highway project for which the department may use federal highway revenues.

*As added by P.L.246-2005, SEC.83.*

**IC 8-14.5-7-5****Issuance of grant anticipation revenue bonds or notes**

Sec. 5. The authority may, by resolution, before July 1, 2009, issue grant anticipation revenue bonds or notes for any purpose that is authorized by IC 8-14.5-6 and for which the department may use federal highway revenues.

*As added by P.L.246-2005, SEC.83.*

**IC 8-14.5-7-6****Revenue declaration**

Sec. 6. (a) Before grant anticipation revenue bonds or notes may be issued under this chapter, the department shall prepare a revenue declaration that includes the department's determination that the amount of federal highway revenues received by the state in a particular state fiscal year will exceed the amount specified in subsection (c)(2) by at least eighteen percent (18%). Grant anticipation revenue bonds or notes may not be issued under this chapter unless the department makes the determination required under this subsection.

(b) The revenue declaration prepared under this section must provide a specified amount or percentage of federal highway revenues received by the state during a state fiscal year to be deposited in the grant anticipation fund and the number of years the deposits shall be made. A revenue declaration prepared under this section is subject to approval of the budget agency and the authority.

(c) The total amount of lease rentals securing grant anticipation revenue bonds or notes issued under this chapter and scheduled to be paid during any state fiscal year, determined as of the date of issuance of each series of grant anticipation revenue bonds or notes, may not exceed an amount equal to twenty-five percent (25%) of the remainder of:

- (1) the total amount of federal highway revenues apportioned or allocated to the department during the federal fiscal year immediately preceding the state fiscal year in which the series of bonds or notes is issued; minus
- (2) seven hundred thirty-four million eight hundred fifty thousand three hundred ninety dollars (\$734,850,390), which is the total amount of federal highway revenues apportioned or allocated to the department during the federal fiscal year beginning October 1, 2003, and ending September 30, 2004.

*As added by P.L.246-2005, SEC.83.*

#### **IC 8-14.5-7-7**

##### **Maximum term of bonds and notes**

Sec. 7. The term of grant anticipation revenue bonds or notes may not exceed twelve (12) years.

*As added by P.L.246-2005, SEC.83.*

#### **IC 8-14.5-7-8**

##### **Application of other law**

Sec. 8. All other provisions of IC 8-14.5-6 apply to the issuance of grant anticipation revenue bonds or notes under this chapter.

*As added by P.L.246-2005, SEC.83.*

#### **IC 8-14.5-7-9**

##### **Indebtedness limited to authority**

Sec. 9. Grant anticipation revenue bonds or notes:

- (1) constitute the corporate obligations of the authority;
- (2) do not constitute an indebtedness of the state within the meaning or application of any constitutional provision or

limitation; and

(3) are payable solely as to both principal and interest from:

(A) the revenues from a lease to the department, if any;

(B) proceeds of bonds or notes, if any; or

(C) investment earnings on proceeds of bonds or notes, if any.

*As added by P.L.246-2005, SEC.83.*